

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

10/16/02  
169  
83

JASON E. BENSON  
                    plaintiff

v.

DURAN, et al  
                    defendant

: CIVIL ACTION  
: No. 1:CV-00-1229  
:  
: (Judge William Caldwell)  
: (Magistrate Judge Blewitt)  
:  
:

FILED  
SCRANTON

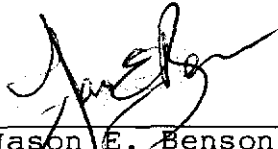
OCT 15 2002

NOTICE OF APPEAL

PER   
DEPUTY CLERK

Notice is hereby given that the plaintiff in the above captioned case, Jason E. Benson, hereby appeals to the United States Court of Appeals for the Third Circuit, from the final judgement from the defendants Motion for Summary Judgement, entered in this action on the 17th day of September, 2002.

Respectfully Submitted,

  
\_\_\_\_\_  
Jason E. Benson  
#D56483  
S.C.I. Smithfield  
P.O. Box 999, 1120 Pike St.  
Huntingdon, PA 16652

DATED: October 7, 2002



UNITED STATES DISTRICT COURT  
for the  
MIDDLE DISTRICT OF PENNSYLVANIA  
William J. Nealon Federal Bldg & U.S. Courthouse  
235 North Washington Avenue  
P.O. Box 1148  
Scranton, PA 18501-1148

Divisional Offices:

MARY E. D'ANDREA  
Clerk of Court

(570) 207-5600 FAX (570) 207-5650  
Internet Address: [www.pamd.uscourts.gov](http://www.pamd.uscourts.gov)

Harrisburg: (717) 221-3920  
Williamsport: (570) 323-6380

Office of the Clerk  
United States Court of Appeals  
for the Third Circuit  
21400 United States Courthouse  
601 Market Street  
Philadelphia, PA 19106-1790

RE: BENSON VS. DURAN ET AL.  
USDC NO: 1:00-CV-1229  
USCA NO:  
E-mail Account: All correspondence should be sent to the e-mail account:  
PAMDAPPEAL3

Dear Ms. Waldron:

A *Notice of Appeal* was filed in the above-referenced case.

  X   Civil Prisoner Case: Case file and docket sheet available through RACER.

       Non-Prisoner *Pro Se* Civil Case: Notice of Appeal and Docket Sheet available through RACER.

       Non-Prisoner Civil Case or Criminal Case: Notice of Appeal and Docket Sheet available through RACER.

       Civil Prisoner Case:        Supplemental Record filed. Documents and docket sheet available through RACER.

       Non-Prisoner Civil Case or Criminal Case:  
       Supplemental Record filed. Docket Sheet available through RACER.

The Clerk's Office hereby certifies the record and the docket sheet available through RACER to be the certified list in lieu of the record and/or the certified copy of the docket entries.

Very truly yours,

s/ H. Maier  
Deputy Clerk

Date: October 16, 2002

**INFORMATION STATEMENT TO BE COMPLETED BY U.S. DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA  
SCRANTON, PA**

**CAPTION:** **DISTRICT COURT NO. 1:00 CV 1229**

**BENSON** **CT. OF APPEALS NO. \_\_\_\_\_**

**V.**

**DURAN ET AL.**

**NOTICE OF APPEAL FILED 10/15/02** **COURT REPORTER(S) \_\_\_\_\_**

**FILING FEE:**

**NOTICE OF APPEAL** ☐ **PAID** ☒ **NOT PAID** ☐ **SEAMAN**

**DOCKET FEE** ☐ **PAID** ☒ **NOT PAID** ☐ **USA**

**CJA APPOINTMENT: (Attach Copy of Order)**

☐ **PRIVATE ATTORNEY**  
☐ **DEFENDER ASSOCIATION OR FEDERAL PUBLIC DEFENDER**  
☐ **MOTION PENDING**

**LEAVE TO PROCEED IN FORMA PAUPERIS STATUS, IF APPLICABLE:**

☒ **MOTION GRANTED (IN FIRST INSTANCE- Construed as Motion to Proceed w/o Full Prepayment)**  
☐ **MOTION DENIED (IN FIRST INSTANCE)**  
☐ **MOTION PENDING BEFORE DISTRICT JUDGE**

**CERTIFICATE OF PROBABLE CAUSE (STATE HABEAS CORPUS):**  
**(Attach copy of Order)**

☐ **GRANTED**  
☐ **DENIED**  
☐ **PENDING**

**COPIES TO:** **Judge Caldwell**  
**Magistrate Judge Blewitt**  
**Jason Benson, Pro Se**  
**Kevin McNamara, Esq.**  
**Alan S. Gold, Esq.**  
**Sean Robins, Esq.**  
**James D. Young, Esq.**

**PREPARED BY** **H. Maier**  
**Deputy Clerk**

**Date: October 16, 2002**